# **PRIORITY**



## Prioritätsbescheinigung über die Einreichung einer Patentanmeldung

Aktenzeichen:

Anmeldetag:

103 44 204.9

Anmelder/Inhaber:

22. September 2003

Bezeichnung:

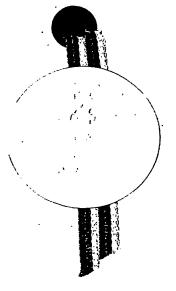
BioSpecific GmbH & Co KG, 10781 Berlin/DE Method for neutralizing effects of sPLA2

REC'D 25 NOV 2

IPC:

C 12 Q 1/44

Die angehefteten Stücke sind eine richtige und genaue Wiedergabe der ur-Sprünglichen Unterlagen dieser Patentanmeldung.



München, den 21. Oktober 2004 Deutsches Patent- und Markenamt Der Präsident Im Auftrag

> BEST AVAILABLE COPY Kahle

#### Method for neutralizing effects of sPLA2

The invention pertains with a compound neutralizing effects of sPLA2, a host cell producing the compound, a host cell producing the compound, a pharmaceutical composition for reducing the sPLA2 concentration and uses of the compound.

The present invention deals with the disciplines of therapeutic proteins, cardiovascular physiology, and pharmacology. Specifically, the present invention is related to decreasing known risk factors of e.g. cardiovascular disease and other related diseases with endothelial participation associated with increased levels of secretory phospholipase A2 (sPLA2) or parts of it and more preferably sPLA2 IIA and more specifically human sPLA2 and/or sPLA2 IIA by administering molecules that bind sPLA2.

Cardiovascular disease is a major cause of death in the United States and a major source of morbidity, medical cost, and economic loss to millions of people. Two of the most common and destructive aspects of cardiovascular disease are the appearance of arteriosclerosis and thrombolitic events.

In recent years, a great deal of progress has been achieved in the treatment of cardiovascular disease. This progress has been possible not only because of the advancement of therapeutic intervention in the disease mechanisms, but also through the early identification of patients at risk of developing the disease. Indeed, patient risk identification and early treatment are important features of modern medical practice. Over the last twenty years, a variety of factors and clinical parameters have been identified which correlate with either the current state or the future probability of developing cardiovascular disease. Such risk factors may include measurable biochemical or physiological parameters, e.g., serum cholesterol, HDL, LDL, fibrinogen levels, etc., or behavioural of life-style patterns, such as obesity, smoking, etc. (For further information see: "Cardiovascular risk factors in the elderly', Kannel W., Coronary Artery Disease, 8:565-575, 1997 and references cited therein.) The risk factor most germane to the present invention is the level of sPLA2.

The intrinsic relationship between a measurable parameter or risk factor and the disease state is not always clear. In other words, it is not always clear whether the risk factor itself is causative or contributory to the disease or is instead an ancillary reflection that is indicative of the disease. Thus, a therapeutic modality, which effects a risk factor, may be directly modifying a pathological mechanism of the disease and its future course, or may be indirectly benefiting some contributory process related to the disease.

Additionally, many risk factors associated with cardiovascular disease are involved in other pathological states in either a causative or indicative role. Therefore, reduction or blockade of a particular risk factor in cardiovascular disease may have other beneficial effects in other diseases related to that risk factor.

Of particular interest to the methods of the present invention is the reduction of cardiovascular risk factors associated with abnormally high levels of sPLA2.

sPLA2 is produced by the liver in response to cytokine production. Cytokines are produced as part of an inflammatory response in the body. Thus, sPLA2 levels are a marker of systemic inflammatory activity. Chronic inflammation is thought to be one of the underlying and sustaining pathologies in cardiovascular disease.

At menopause, with the loss of estrogen, women's prevalence of cardiovascular disease increases. Also, the risk factors of cardiovascular disease increase, especially lipid (cholesterol and triglyceride), homocysteine, and C-reactive protein levels. Today, the most common method of preventing cardiovascular disease in post-menopausal women is Hormone Replacement Therapy (HRT). However, many women do not comply with this therapy because of the unpleasant side-effects, such as bloating, resumption of mensus, breast tenderness, fear of uterine and breast cancer, etc. Additionally, while HRT does lower cholesterol and homocysteine levels, HRT raises C-reactive protein levels.

One object of the invention is to provide a new therapeutic agent which lowers the risk factors mentioned above by neutralization of sPLA2.

Another object is to provide tools for decreasing levels of sPLA2 in humans comprising administering to a human in need thereof an effective amount of a compound containing at least a molecule which binds sPLA2 or a pharmaceutical salt or solvate thereof.

Still another object is to provide molecules and methods for decreasing levels of sPLA2 in humans comprising administering to a human in need thereof an effective amount of a compound containing at least a molecule which binds sPLA2 or a pharmaceutical salt or solvate thereof.

Further, the present invention relates to a method for inhibiting conditions or detrimental effects caused by an excess of sPLA2, or parts of it and more preferably sPLA2 IIA and more specifically human sPLA2 and/or sPLA2 IIA, respectively comprising administering to a human in need thereof, an effective amount of a compound containing at least a molecule which binds sPLA2 or a pharmaceutical salt or solvate thereof.

The present invention is based to the finding that molecules that bind sPLA2, i.e., antibodies, a recombinant antibody (as e.g. single chain antibody - scAb or scFv; bispecific antibody, diabody), monoclonal antibodies, are useful for lowering the levels of sPLA2 and/or blocking and/or neutralizing sPLA2.

As used herein, the term "effective amount" means an amount of a compound of molecules which bind sPLA2 which is capable of decreasing levels or blocking sPLA2 and/or inhibiting conditions or detrimental effects caused by an excess of sPLA2.

The term "estrogen deficient" refers to a condition, either naturally occurring or clinically induced, where a woman can not produce sufficient estrogenic hormones to maintain estrogen dependent functions, e.g., menses, homeostasis of bone mass, neuronal function, cardiovascular condition, etc. Such estrogen deficient situations arise from, but are not limited to, menopause and surgical or chemical ovarectomy, including its functional

equivalent, e.g., medication with GnRH agonists or antagonists, ICI 182780, and the like.

The term "inhibiting" in the context of inhibiting conditions or detrimental effects caused by an excess of sPLA2 includes its generally accepted meaning, i.e., blocking, prohibiting, restraining, alleviating, ameliorating, slowing, stopping, or reversing the progression or severity of an increase of sPLA2 and the pathological sequelae, i.e., symptoms, resulting from that event.

The term "pharmaceutical" when used herein as an adjective, means substantially non-toxic and substantially non-deleterious to the recipient.

By "pharmaceutical formulation" or "medicament" or "pharmaceutical composition" it is further meant that the carrier, solvent, excipients and salt must be compatible with the active ingredient of the formulation (a compound of at least a molecule, which binds sPLA2).

The term "solvate" represents an aggregate that comprises one or more molecules of the solute, with one or more molecules of a pharmaceutical solvent, such as water, buffer, physiological salt solution, and the like.

The present invention claims a compound comprising at least a structural entity which binds secretory phospholipase A2 (sPLA2) or parts of it and more preferably sPLA2 IIA and more specifically human sPLA2 and/or sPLA2 IIA and which

- a.) blocks at least one or more sPLA2, preferably sPLA2 IIA and more preferably human sPLA2 and/or sPLA2 IIA functions on cell surfaces or in a solution, preferably blood or other body fluids or from tissues, most preferably in vivo,
- b.) and/or depletes sPLA2, preferably sPLA2 IIA and more preferably human sPLA2 and/or sPLA2 IIA from a solution, preferably blood or other body fluids or from tissues, most preferably in vivo.

In the following, sPLA2 also encompasses sPLA2 II and more preferably human sPLA2 and/or sPLA2 IIA.

In one embodiment the compound of the invention is a polypeptide comprising a binding site to sPLA2, preferably an antibody containing an antigen-binding site to sPLA2. The compound of the invention is in particular a poly- or monoclonal antibody comprising an antigen-binding site to sPLA2.

The monoclonal antibody comprises particularly an antigen-binding site to sPLA2 and is obtainable after immunizing vertebrates, preferably mammals such as mice, rats, guinea pigs, hamsters, monkeys, pigs, goats, chicken, cows, horses and rabbits. The poly- or monoclonal antibody comprising an antigen-binding site to sPLA2 is preferably humanized according to technologies well-known to the skilled person. The compound of the invention can also be prepared by immunizing humanized mice and/or immune defective mice (as e.g. SCID or nude mice) repopulated with vital immune cells (e.g. of human origin; as e.g. SCID-hu mice).

In a further embodiment the antibody of the invention is a recombinant antibody (as e.g. single chain antibody - scAb or scFv; bispecific antibody, diabody etc.) capable of binding to sPLA2, in particular by containing the antigen-binding site of an antibody which is cross-reactive with sPLA2. Th antibody molecule of the invention is a humanized or human antibody. Subject matter of the invention is also a host cell, preferably a stable host cell, producing the compound of the invention.

Furthermore, subject matter of the invention is at least one recombinant vector comprising the nucleotide sequences encoding the binding molecule fragments according to the invention, operably linked to regulating sequences capable of expressing the antibody molecule in a host cell, preferably as a secretory protein.

Subject matter of the present invention is also a host comprising, preferably stably transgenic, the vector according to the invention, a prokaryotic or eukaryotic cell line producing a recombinant antibody of the invention as well as a eukaryotic organism, most preferably an animal, a plant or a fungus, producing a recombinant antibody according to the invention.

Subject matter of the invention is also a method of producing a recombinant molecule of the invention capable of binding to the sPLA2 antigen, comprising culturing a host cell and isolating the binding molecule from the culture medium and/or the producing cell.

In another embodiment, the present invention is related with a method for inhibiting immunologic, inflammatory and/or pathophysiological responses by treating patients with increased sPLA2 levels with the sPLA2-binding molecules according to the invention.

Another subject of the present invention is a pharmaceutical composition for reducing the sPLA2 concentration, containing a therapeutically effective amount of the binding molecule according to the invention and a pharmaceutically acceptable carrier.

Still another embodiment of the invention is a method for reducing inflammatory immune and/or pathophysiological responses by reducing the sPLA2 concentration, a method for reducing endothel injury and/or destruction by reducing the sPLA2 concentration, a method for acute treatments in case of acute endothelial injury and/or destruction, preferably for stroke, cardiac infarction, avoidance of sudden cardiac death, for burnt offering, for severe surgery or other injuries with severe wound areas, for diabetic shock, for acute liver failure, for pancreatitis, neurodegenerative diseases, for leukemic persons after irradiation, a method for continuous treatments in case of long term endothelial injury and/or destruction, preferably for patients with medium CRP-amounts, with atherosclerosis, with unstable angina, with diabetes type I or type II, with overweight and/or obesity, for alcoholics, under Hormone Replacement Therapy (HRT), for old persons, for smokers, a method for preventing allograft transplant rejection or xeno-transplant rejection, a method for the induction of allo-transplant or xeno-transplant tolerance or inhibition of T cell activation, and a method for preventing or treatment of autoimmune diseases, the methods comprising administering to a patient in need of such treatment a therapeutically effective amount of a pharmaceutical composition of the invention.

The compound of the invention can be combined with other molecules, preferably therapeutics for the respective disease or other anti-inflammatory molecules like e.g. anti-IL-6-molecules, anti-IL-18-molecules, anti-CRP-molecules, blocking molecules for IL-6, CRP, IL-18 and/or complement blockers.

The methods provided by the current invention are useful in both the treatment and prevention of harmful sequelae associated with elevated levels of sPLA2. Since sPLA2 serum concentration is related to levels and production of cytokines, which are especially produced in inflammatory processes, the methods of the current invention are useful in treating or preventing inflammatory events and sequelae, thereof. Such inflammatory events include, but are not limited to: arterial and venous chronic inflammation, autoimmune diseases, e.g., arthritis (osteo and rheumatoid), SLE, multiple sclerosis, myasthenia gravis, Graves' disease, psoriasis vulgaris. cardiomyopathy, diabetes mellitus, Morbus Bechterew, inflammatory bile disease, ulcerative colitis, Crohn's disease, idiopathic thrombocytopenia purpura (ITP), aplastic anemia, idiopathic dilated cardiomyopathy (IDM), autoimmune thyroiditis, Goodpastures' disease, and the like.

Methods of the current invention are useful for treating or preventing pathologic sequelae of atherosclerotic or thrombotic disease. Such pathologies include, but are not limited to stroke, circulatory insufficiency, ischemic events, myocardial infarction, pulmonary thromboembolism, stable and unstable angina, coronary artery disease, sudden death syndrome, and the like.

The present invention further contemplates the use of other currently known clinically relevant agents administered to treat the pathological conditions embodied in the present invention in combination with a compound of at least a molecule which binds sPLA2.

Moreover, the present invention contemplates that the compounds of at least a molecule which binds sPLA2 are employed in either a treatment or prophylactic modality.

A preferred embodiment of the present invention is where the human to be administered a compound of the invention is female, and more preferred is when that human female is estrogen deficient.

Another preferred embodiment of the present invention is where the condition caused by an abnormally high level of sPLA2 is cardiovascular disease, especially arteriosclerosis and thrombosis or other acute treatments in case of acute endothelial injury and/or destruction, like stroke, cardiac infarction, sudden cardiac death, burnt offering, severe surgery or other injuries with severe wound areas, diabetic shock, acute liver failure, pancreatitis, leukemic persons after irradiation or long term endothelial injury and/or destruction, like arteriosclerosis, diabetes type I or type II, overweight and/or obesity, alcoholism, Hormone Replacement Therapy (HRT), old persons, smokers.

A particularly preferred embodiment of the present invention is the use of a compound of at least a molecule which binds sPLA2 in an estrogen deficient women, who is receiving estrogen or HRT, for the reduction of systemic or local inflammation.

Pharmaceutical formulations can be prepared by procedures known in the art, such as, for example, a compound of at least a molecule which binds sPLA2 can be formulated with common excipients, diluents, or carriers, and formed into tablets, capsules, and the like.

Examples of excipients, diluents, and carriers that are suitable for formulation include the following: fillers and extenders such as starch, sugars, mannitol, and silicic derivatives; binding agents such as carboxymethyl cellulose and other cellulose derivatives, alginates, gelatin, and polyvinyl pyrrolidone; moisturizing agents such as glycerol; disintegrating agents such as agar, calcium carbonate, and sodium bicarbonate; agents for retarding dissolution such as paraffin; resorption accelerators such as quaternary ammonium compounds; surface active agents such as cetyl alcohol, glycerol monostearate; adsorptive carriers such as kaolin and bentonire; and lubricants such as talc, calcium and magnesium stearate and solid polyethyl glycols. Final pharmaceutical forms may be: pills, tablets, powders, lozenges, syrups,

aerosols, saches, cachets, elixirs, suspensions, emulsions, ointments, suppositories, sterile injectable solutions, or sterile packaged powders, depending on the type of excipient used.

Additionally, the compounds of at least a molecule which binds sPLA2 are well suited to formulation as sustained release dosage forms. The formulations can also be so constituted that they release the active ingredient only or preferably in a particular part of the intestinal tract, possibly over a period of time. Such formulations would involve coatings, envelopes, or protective matrices, which may be made from polymeric substances or waxes.

The particular dosage of a compound containing molecules which bind sPLA2 required to decrease levels of homocysteine and/or sPLA2 according to this invention will depend upon the particular circumstances of the conditions to be treated. Considerations such as dosage, route of administration, and frequency of dosing are best decided by the attending physician. Generally, an effective minimum dose for oral or parenteral administration of a compound of molecules which bind sPLA2 is about 1 to 20,000 mg. Typically, an effective maximum dose is about 20,000, 6,000, or 3,000 mg. Such dosages will be administered to a patient in need of treatment as often as needed to effectively decrease levels of sPLA2 and/or inhibit conditions or detrimental effects caused by an excess of sPLA2.

#### Claims

- A compound comprising at least a structural entity which binds or inhibits secretory phospholipase A2 (sPLA2) or parts of it and more preferably sPLA2 IIA and more specifically human sPLA2 and/or sPLA2 IIA and which
  - a.) blocks and/or neutralizes at least one or more sPLA2, preferably sPLA2 IIA and more preferably human sPLA2 and/or sPLA2 IIA functions on cell surfaces or in a solution, preferably blood or other body fluids or from tissues, most preferably in vivo,
  - b.) and/or depletes sPLA2, preferably sPLA2 IIA and more preferably human sPLA2 and/or sPLA2 IIA from a solution, preferably blood or other body fluids or from tissues, most preferably in vivo.
- 2. The compound according to claim 1, which is a polypeptide comprising a binding site to sPLA2, preferably an antibody containing an antigen-binding site to sPLA2.
- A host cell producing the compound according to any one of the claims 1 and/or 2.
- 4. A host cell producing the compound binding molecule fragments according to any one of claims 1 and/or 2, operably linked to regulating sequences capable of expressing the antibody molecule in a host cell, preferably as a secretory protein.
- Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for inhibiting immunologic, inflammatory and/or pathophysiological responses in patients with increased IL-6, CRP and/or increased sPLA2 levels.
- 6. A pharmaceutical composition for reducing the sPLA2 concentration and/or blocking, neutralizing sPLA2, containing a therapeutically effective amount of the binding molecule according to any one of claims 1 and/or 2 and a pharmaceutically acceptable carrier.

- Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for reducing inflammatory immune and/or pathophysiological responses by reducing the sPLA2 concentration and/or neutralizing sPLA2.
- Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for reducing cell and/or endothelial injury and/or destruction by reducing the sPLA2 concentration and/or neutralizing sPLA2.
- 9. Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for acute treatments in case of acute endothelial injury and/or destruction, preferably for stroke, cardiac infarction, avoidance of sudden cardiac death, for burnt offering, for severe surgery or other injuries with severe wound areas, for diabetic shock, for acute liver failure, for pancreatitis, neurodegenerative diseases, for leukemic persons after irradiation.
- 10. A method for continuous treatments in case of long term endothelial injury and/or destruction, preferably for patients with medium CRP-amounts, with atherosclerosis, with unstable angina, with diabetes type I or type II, with overweigt and/or obesity, for alcoholics, under Hormone Replacement Therapy (HRT), for old persons, for smokers.
- 11. Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for preventing allograft transplant rejection or xenotransplant rejection.
- 12. Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for the induction of allo-transplant or xeno-transplant tolerance or inhibition of T cell activation.
- 13. Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for preventing or treatment of autoimmune diseases e.g. SLE, osteo arthritis, rheumatoid arhritis, multiple sclerosis, myasthenia

gravis, Graves' disease, psoriasis vulgaris, dilated cardiomyopathy, diabetes mellitus, Morbus Bechterew, inflammatory bile disease, ulcerative colitis, Crohn's disease, idiopathic thrombocytopenia purpura (ITP), aplastic anemia, idiopathic dilated cardiomyopathy (IDM), autoimmune thyroiditis, Goodpastures' disease, arterial and venous chronic inflammation.

14. Use of a compound of claim 1 and/or 2 for the manufacturing of a medicament for treatment of HIV-infected patients.

#### **Abstract**

A compound comprising at least a structural entity which binds secretory phospholipase A2 (sPLA2) or parts of it and more preferably sPLA2 IIA and more specifically human sPLA2 and/or sPLA2 IIA and which

- a.) blocks at least one or more sPLA2 functions on cell surfaces or in a solution, preferably blood or other body fluids or from tissues, most preferably in vivo,
- b.) and/or depletes sPLA2 from a solution, preferably blood or other body fluids or from tissues, most preferably in vivo.

## This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

### **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

☐ BLACK BORDERS
☐ ÎMAGE CUT OFF AT TOP, BOTTOM OR SIDES
FADED TEXT OR DRAWING
☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
SKEWED/SLANTED IMAGES
☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
☐ GRAY SCALE DOCUMENTS
LINES OR MARKS ON ORIGINAL DOCUMENT
☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
Потнер.

### IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.